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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/540,362	03/31/2000	RAJA P. NARAYANAN	P1001	2370
7590 08/24/2004 NORTEL NETWORKS LIMITED 2351 BOULEVARD ALFRED-NOBEL ST. LAURENT, QUEBEC, H4S 2A9 CANADA			EXAMINER JAGANNATHAN, MELANIE	
			ART UNIT 2666	PAPER NUMBER

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/540,362

Applicant(s)

NARAYANAN ET AL.

Examiner

Melanie Jagannathan

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 05/20/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The disclosure is objected to because of the following informalities: "buss" should be changed to "bus".

Appropriate correction is required.

Claim Objections

3. Claim 31 is objected to because of the following informalities: line 4 and line 8, "buss" should be replaced with "bus". Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4, 6-7, 9-12, 14-19, 21-27, 29-30, 31-34, 36-40, 42-46, 48-51, 53-54 are rejected under 35 U.S.C. 102(e) as being anticipated by Leung US 6,760,444.

The claimed method of communicating to a mobile node on a system having a home network with a home agent and at least one foreign wireless network with a foreign agent comprising the steps of receiving an agent solicitation at the foreign agent where solicitation is initiated by detection of movement of mobile node into foreign network and transmitting agent advertisement from foreign agent in response to solicitation is disclosed by mobile node (Figure 1, element 6) based at network communicating through home agent (element 8) roaming to network segment (element 14) with foreign agent (element 10) where mobile node may identify foreign agent through various solicitations and advertisements which form part of mobile IP protocol. See column 1, lines 55-67, column 2, and lines 1-4. The claimed transmitting a care-of-address to home agent based upon information in agent advertisement to support redirection of packets for mobile node to foreign network where it is located is disclosed by when mobile node engages with foreign network, foreign agent relays a registration request to home agent to negotiate conditions of mobile node's attachment to foreign agent and when negotiation is successful, home agent updates internal mobility binding table with care-of-address. See column 2, lines 5-20.

Regarding claims 16, 24, 48, the claimed detecting mobile node movement with a routine performed on low-level protocol layer such as layer 2, layer 3 as disclosed in specification on page 21 is disclosed by Mobile IP tunneling performed on layer 2.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 5, 8, 13, 20, 28, 35, 41, 47, 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leung in view of LaPorta et al. US 6,496,505.

Leung discloses all of the limitations except for detecting mobile node upon power up of mobile in foreign network and de-registering the care-of-address upon power down of mobile in foreign network. LaPorta et al. discloses detection of mobile powering up (Figure 4, element 200) and checking if mobile is not attached to home domain (element 204) and assigning care-of-address (element 208). LaPorta et al.

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discloses detection of mobile powering down (Figure 5, element 230) and releasing care-of-address (element 238). At the time the invention was made it would have been obvious to a person of ordinary skill in the art to modify Leung to include detection of powering up and down in foreign network as in LaPorta et al. One of ordinary skill in the art would be motivated to do so for proper redirection of packets.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Comstock US 6,452,920 discloses L2TP using mobile IP data.

Leung US 6,621,810 discloses mobile IP intra-agent mobility.

Leung US 6,636,498 discloses mobile IP mobile router.

Leung US 6,501,746 discloses mobile IP dynamic home address resolution.

Barnes et al. US 6,711,147 disclose merged packet service and mobile IP

Bergenwall et al. US 6,567,664 disclose registration for mobile nodes in wireless Internet protocols.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melanie Jagannathan whose telephone number is 703-305-8078. The examiner can normally be reached on Monday-Friday from 8:00 a.m.-4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 703-308-5463. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



FRANK DUONG
PRIMARY EXAMINER

Melanie Jagannathan
Patent Examiner
AU 2666

MJ